

E-Filing

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10 Attorneys for Defendants
 11 ROCHE DIAGNOSTICS CORPORATION and
 12 ROCHE DIAGNOSTICS OPERATIONS, INC.

13
 14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN FRANCISCO DIVISION

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 18 ABBOTT DIABETES CARE INC. and
 19 ABBOTT LABORATORIES,
 20 Plaintiffs,
 21 v.
 22 ROCHE DIAGNOSTICS CORPORATION
 23 ROCHE DIAGNOSTICS OPERATIONS,
 24 INC., and BAYER HEALTHCARE LLC,
 Defendants.

Case No. C05-3117 MJJ

**[PROPOSED] ORDER GRANTING
 DEFENDANTS LEAVE TO CITE
 ADDITIONAL AUTHORITY IN
 RESPONSE TO PLAINTIFFS' REPLY
 MARKMAN BRIEF**

Judge: The Honorable Martin J. Jenkins

25 AND RELATED ACTIONS

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 [PROPOSED] ORDER GRANTING DEFENDANTS LEAVE TO CITE ADDITIONAL AUTHORITY IN
 RESPONSE TO PLAINTIFFS' REPLY MARKMAN BRIEF
 CASE NO. C05-3117 MJJ

1 THERASENSE, INC., and ABBOTT
2 LABORATORIES

3 Plaintiffs,

4 v.

5 BECTON, DICKINSON AND CO.,

6 Defendants.

7 AND RELATED CASES

Case Nos. C04-2123 MJJ
C04-3732 MJJ
C04-3327 MJJ

Judge: The Honorable Martin J. Jenkins

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9 Having considered Defendants' UNOPPOSED MOTION FOR LEAVE TO CITE
10 ADDITIONAL AUTHORITY IN RESPONSE TO PLAINTIFFS' REPLY MARKMAN BRIEF,
11 this Motion is GRANTED and it is hereby ORDERED:

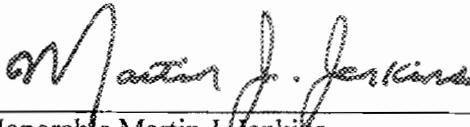
12 Defendants may cite to this Court the decision in *Pall Corp. v. Micron Separations, Inc.*,
13 66 F.3d 1211, 1216-17 (Fed. Cir. 1995) in response to Plaintiffs' Reply Markman Brief.

14 Defendants may also rely on this authority during the claim-construction hearing set for March 9,
15 2007.

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17 Dated: 2/26/07

18 By:

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The Honorable Martin J. Jenkins
United States District Court Judge

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